

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:05CR233-2**

**UNITED STATES OF AMERICA**

**Vs.**

**AMBER LENE KELLY.**

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**ORDER**

**THIS CAUSE** coming on to be heard and being heard before the undersigned on June 12, 2006 at a hearing regarding the competency of the defendant. At that hearing, the defendant's attorney, Jack Stewart, discussed with the undersigned recommendations that were contained in the Forensic Report dated May 11, 2006. In that report, it was recommended that the defendant receive substance abuse treatment. After hearing arguments from Jack Stewart, attorney for the defendant, and from Corey Ellis, Assistant United States Attorney, the undersigned enters the following Order:

**ORDER**

**IT IS, THEREFORE, ORDERED** that the defendant be allowed to participate in the Jail Based Treatment Program which has been developed by the United States Probation Office for the Western District of North Carolina that is being held at the McDowell County detention facility and that upon completion of treatment that defendant's counsel be allowed to file a motion for the court to consider whether or not to release the defendant on terms and conditions of pretrial release.

Signed: June 14, 2006

Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

